

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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JORDAN ALTABET,

Plaintiff(s),

vs.

CLEANTECH BIOFUELS, INC.;
and EDWARD HENNESSEY,

Defendant(s).

2:09-cv-2164-RLH-PAL

ORDER
(Rule 4 Motion for Expenses–#10)

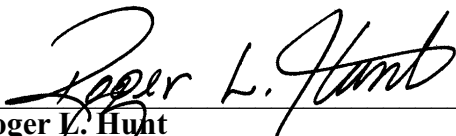
Before the Court is Plaintiff's **Rule 4 Motion for Costs and Expenses** (#10, filed February 10, 2010). Plaintiff also filed an Erratum (#13). Defendants filed their Opposition (#14), to which Plaintiff filed a Reply (#17). The motion will be granted.

Plaintiff meticulously followed the requirements of Rule 4 to request a waiver of service. Upon its refusal, legitimate efforts to effect service were undertaken. Those efforts are meticulously and adequately documented in the Motion and Erratum.

The only argument made in Defendants' Opposition is that the expense of \$821.00 to prepare the Plaintiff's motion is unreasonable. On the contrary, the Motion and Erratum total 12 pages, and include extensive references to the rule in question. Furthermore, the motion is supported by a dozen pages of exhibits and explains that the \$821.00 cost was not limited strictly to the attorney's time, but included other costs associated with the Motion. The Court finds the amount grossly reasonable and all the costs and expenses submitted reasonable and adequately documented.

1 IT IS THEREFORE ORDERED that Plaintiff's **Rule 4 Motion for Costs and**
2 **Expenses** (#10) is GRANTED, and Defendants are ordered to pay Plaintiff \$1,196.00 forthwith.¹

3 Dated: May 13, 2010.

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6 **Roger L. Hunt**
7 **Chief United States District Judge**

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26 ¹ Defendants' Motion to Dismiss will not be resolved until evidence of this
payment is made to the Court.